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# IN ANSWER TO YOUR QUERY

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122



## RECIPES

This is in response to your inquiry regarding the copyright registration of recipes. Mere listings of ingredients as in recipes, formulas, compounds or prescriptions are not subject to copyright protection. However, where a recipe or formula is accompanied by substantial literary expression in the form of an explanation or directions, or when there is a combination of recipes, as in a cookbook, there may be a basis for copyright protection.

Protection under the copyright law (title 17 of the United States Code, section 102) extends only to "original works of authorship" that are fixed in a tangible form (a copy). "Original" means merely that the author produced the work by his own intellectual effort, as distinguished from copying an existing work. Copyright protection may extend to a description, explanation, or illustration, assuming that the requirements of the copyright law are met.

To register the directions or instructions of a recipe or cookbook, send the following three elements **in the same envelope or package** to the Library of Congress, Copyright Office, 101 Independence Avenue, S.E., Washington, D.C. 20559-6000.

1. A completed application Form TX;
2. A nonrefundable filing fee of \$30\*;
3. A nonreturnable deposit of the work. The deposit requirements depend on whether the work has been published at the time of registration:
  - If the work is unpublished, one complete copy.
  - If the work was first published in the United States on or after January 1, 1978, two complete copies of the best edition.
  - If the work was first published in the United States before January 1, 1978, two complete copies as first published.
  - If the work was first published outside of the United States, one complete copy of the work as first published.
  - If the work is a contribution to a collective work, and published after January 1, 1978, one complete copy of the best edition of the collective work or a photocopy of the contribution itself as it was published in the collective work.

Copyright protects only the particular manner of an author's expression in literary, artistic, or musical form. Copyright protection does not extend to names, titles, short phrases, ideas, systems or methods.

Sincerely yours,

Register of Copyrights

**\* Fees are effective through June 30, 2002. For the latest fee information, write the Copyright Office, check the Copyright Office Website at [www.loc.gov/copyright](http://www.loc.gov/copyright), or call (202) 707-3000.**

Enclosures

## How Long Does Copyright Registration Take?

A copyright registration is effective on the date of receipt in the Copyright Office of all required elements in acceptable form, regardless of the length of time it takes to process the application and mail the certificate of registration. The length of time required by the Copyright Office to process an application varies from time to time, depending on the amount of material received. Remember that it takes a number of days for mail to reach the Copyright Office and for the certificate of registration to reach the recipient after being mailed from the Copyright Office.

You will receive no acknowledgement that your application for copyright registration has been received (the Office receives more than 500,000 applications annually), but you may expect:

- A letter or telephone call from a Copyright Office staff member if further information is needed; and
- A certificate of registration to indicate the work has been registered, or if the application cannot be accepted, a letter explaining why it has been rejected.

You might not receive either of these until approximately 8 months after submission.

If you want to know when the Copyright Office received your material, send it via registered or certified mail and request a return receipt.

For further information, write:

Library of Congress  
Copyright Office  
Information Section, LM-401  
101 Independence Ave., S.E.  
Washington, D.C. 20559-6000

If you need additional application forms for copyright registration, call (202) 707-9100 at any time. Leave your request as a recorded message on the Copyright Office Forms and Publications Hotline in Washington, D.C. Please specify the kind and number of forms you need. If you have general information questions and wish to talk to an information specialist, call (202) 707-3000, TTY (202) 707-6737.

You may also photocopy blank application forms; **however**, photocopied forms submitted to the Copyright Office must be clear, legible, on a good grade of 8½-inch by 11-inch white paper suitable for automatic feeding through a scanner/photocopier. The forms should be printed, preferably in black ink, head-to-head (so that when you turn the sheet over, the top of page 2 is directly behind the top of page 1). **Forms not meeting these requirements will be returned to the originator.**

All U.S. Copyright Office application forms are available from the Copyright Office Website at [www.loc.gov/copyright](http://www.loc.gov/copyright). They may be downloaded and printed for use in registering a claim to copyright or for use in renewing a claim to copyright.

You must have Adobe Acrobat Reader installed on your computer to view and print the forms. The free Adobe® Acrobat® Reader may be downloaded from Adobe Systems Incorporated through links from the same Internet site at which the forms are available.

Print forms head to head (top of page 2 is directly behind the top of page 1) on a single piece of good quality, 8½-inch by 11-inch white paper. To achieve the best quality copies of the application forms, use a laser printer.

Frequently requested Copyright Office circulars, announcements, and recently proposed as well as final regulations are also available from the Copyright Office Website.

Copyright Office circulars and announcements are available via fax. Call (202) 707-2600 from any touchtone telephone. Key in your fax number at the prompt and the document number of the item(s) you want to receive by fax. The item(s) will be transmitted to your fax machine. If you do not know the document number of the item(s) you want, you may request that a menu be faxed to you. You may order up to three items at a time. Note that copyright application forms are *not* available by fax.